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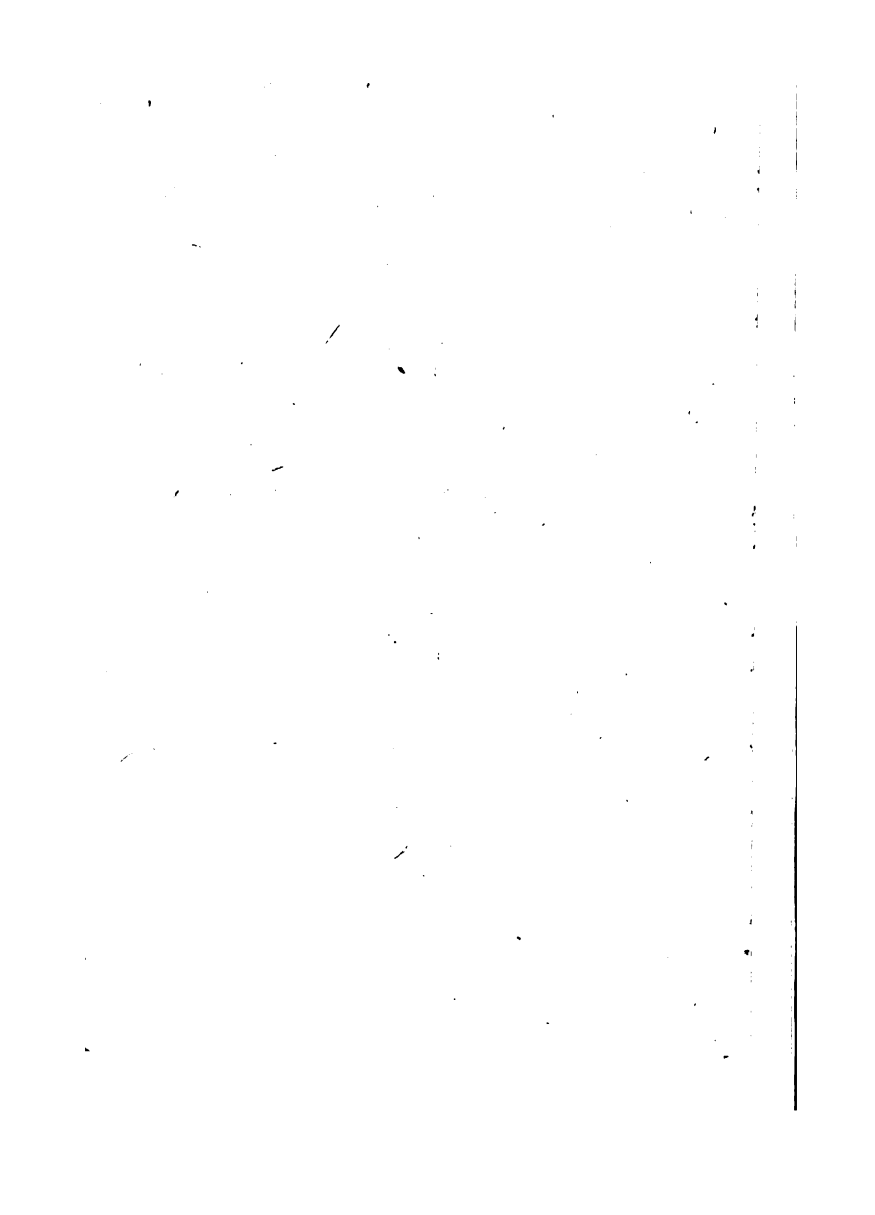
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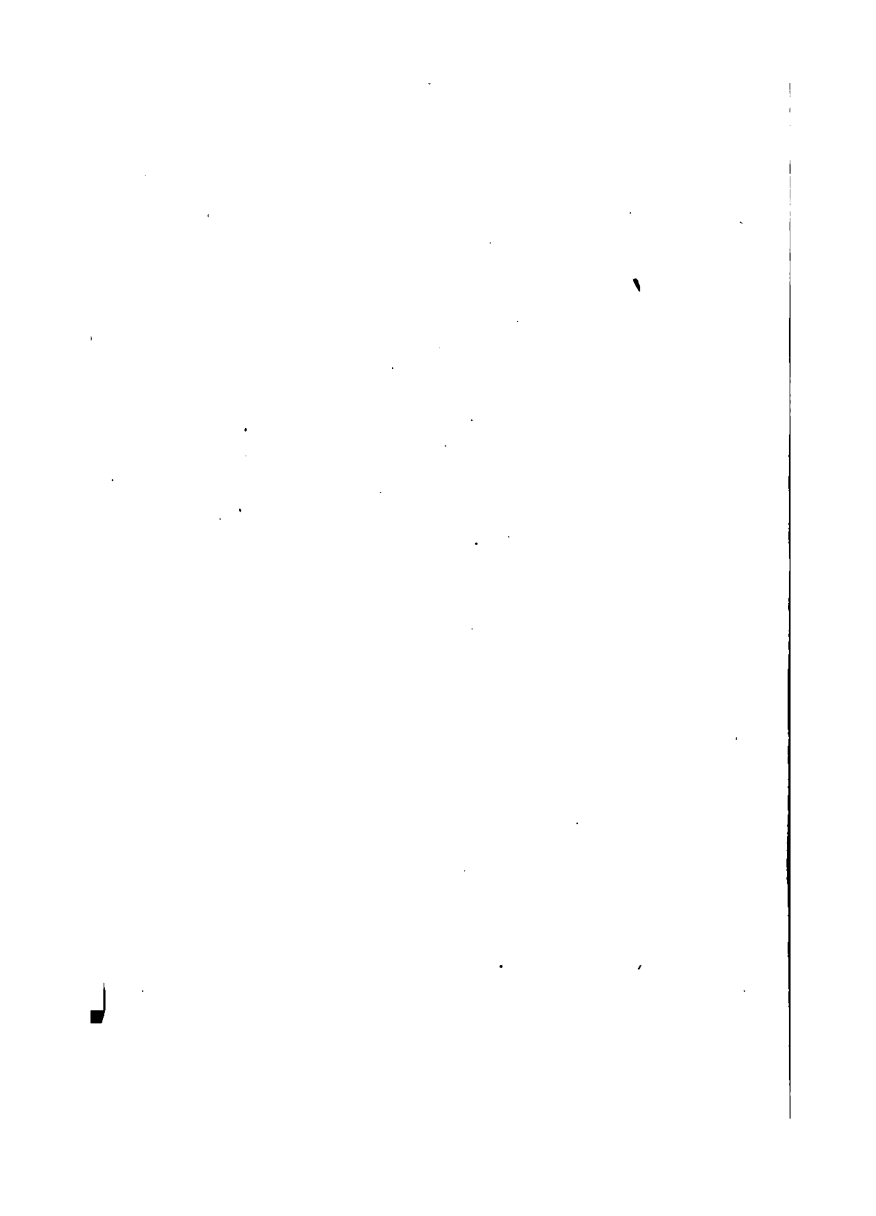
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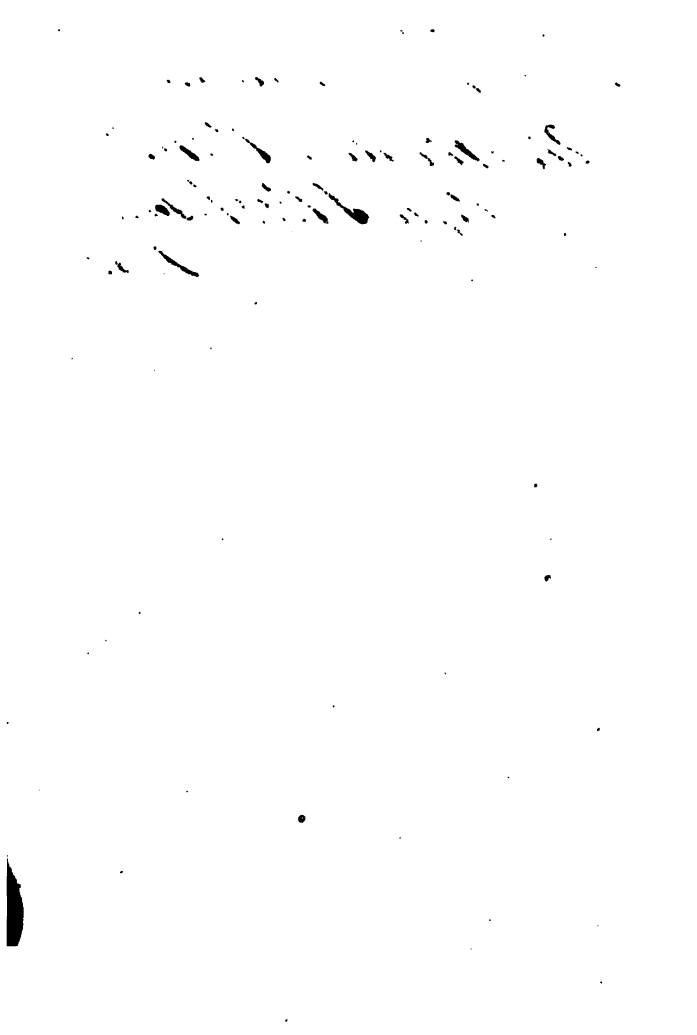
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New York State. Statute.

L A W S

RELATIVE TO

QUARANTINE

AND THE

PUBLIC HEALTH

OF THE

City and Port of New York.



1864.

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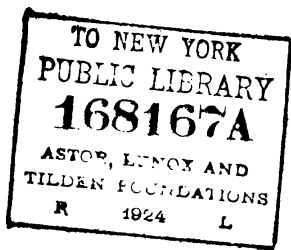


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THE following compilation has been prepared under the direction of the Commissioners of Quarantine, appointed by chapter 398 of the Laws of 1864. The Quarantine Act of 1863 wrought a great and radical change in the laws previously existing, relating to the public health. It introduced many provisions which were entirely new, and re-enacted, with some slight modifications, many of those contained in prior statutes. But as it did not *specifically* repeal any law in force at the time of its passage, it often required careful examination and comparison to determine whether the new law had taken away powers conferred upon the officers of health by previous enactments. To facilitate such examination and comparison, a compilation which should present all the laws relating to quarantine in convenient form for reference, under appropriate heads, became necessary. It has been the design of the compiler to so classify and arrange the quarantine code, that every provision in the several statutes relating to the public health of the city and port of New York, which is now in force, may be found under its appropriate head. Those portions of the laws passed prior to 1863, which have manifestly become inoperative under the new provisions of that act, have been omitted. But in cases where it



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is doubtful whether a particular section was repealed or had become obsolete, it has been retained. The plan of indicating, at the end of each section, the year in which the statute was passed, to which it belongs, furnishes a guide for examination in all cases of doubt.

L A W S
RELATIVE TO
Q U A R A N T I N E
AND TO THE
P U B L I C H E A L T H
OF THE
CITY AND PORT OF NEW YORK.

TITLE I.

OF THE OFFICERS OF QUARANTINE AND THE PUBLIC
HEALTH IN THE CITY AND PORT OF NEW YORK.

SECTION 1.—A Health Officer for the Port of New York shall be nominated by the Governor, and appointed by him with the consent of the Senate, and shall hold his office for the term of two years, and until a successor in such office shall be duly qualified; provided, however, that no one shall be appointed a Health Officer except a doctor of medicine of good standing, and of at least ten years experience in the practice of his profession, and who shall also be practically familiar with the diseases subject by this act to quarantine; nothing in this section con-

Appoint-
ment of
Health Of-
ficer.

tained shall authorize the Governor to appoint a Health Officer during the recess of the Senate, except in case of a vacancy by death or resignation. (1863, *ch.* 358, § 25.)

Board of
Health.

§ 2. The legislative powers heretofore vested by any existing law of this State, in the Board of Health of the City of New York, other than as the same are hereinafter modified or altered, shall be vested in the Mayor and Common Council of the said City of New York. (1850, *ch.* 275, § 1, *Title* 1.)

Mayor and
Common
Council to
be Board of
Health.

§ 3. The said Mayor and Common Council when acting in relation to the public health of said city, or in the execution of the said powers or those hereinafter conferred, shall be known as the Board of Health of the City of New York, of which ten members shall be necessary to constitute a quorum. The Mayor shall be the President of such Board, and shall have power at any time to convene the same. (1850, *ch.* 275, § 2, *title* 1.)

Sessions of
Board of
Health.

§ 4. The sessions of the Common Council, when acting as a Board of Health, shall be with closed doors, except when otherwise ordered by said Board. (1850, *ch.* 275, § 3, *title* 1.)

Commis-
sioners of
Health.

§ 5. The President of the Board of Aldermen, the President of the Board of Assistant Aldermen, the Health Officer, the Resident Physician, the Health Commissioner, and City Inspector, shall be the

Commissioners of Health. (1850, *ch. 275, § 4, title 1.*)*

§ 6. It shall be the duty of the Mayor and the Commissioners of Health to render their advice to the Board of Health, and to the City Inspector of said city, in regard to all matters connected with the public health thereof. (1850, *ch. 275, § 5, title 1.*)

§ 7. The Health Officer shall perform all the duties hereinafter specified, and such other duties as the Board of Health, or the Mayor and the Commissioners of Health shall lawfully require. (1850, *ch. 275, § 6, title 1.*)

§ 8. The Resident Physician shall visit all sick persons reported to the Board, or to the Mayor and the Commissioners of Health, and shall perform such other professional duties as the Board of Health shall enjoin. (1850, *ch. 275, § 8, title 1.*)

§ 9. The Health Commissioner, under the direction of the Board of Health, shall assist the Resident Physician in the discharge of his official duties, (1850, *ch. 275, § 9, title 1.*)

§ 10. He shall also receive all moneys appropriated to the use of the Marine Hospital, and shall pay all demands against the Hospital that shall be approved by a majority of the Commissioners of Health; and,

* The Board of Councilmen now takes the place of the Board of Assistant Aldermen.

before he shall enter on the duties of his office, shall execute a bond in the penal sum of twenty thousand dollars, conditioned for the faithful performance of his trust, and with such sureties as the Mayor or Recorder of the city shall approve. The bond shall be given to the people of this State, and be filed by the officer taking it, in the office of the Clerk of the City and County. (§ 8, of Title 1, of ch. 14, of Part 1, R. S., as amended by § 1, ch. 19, of 1840.)

To account and deposit. § 11. He shall render to the Board of Health a monthly account of his receipts and disbursements on account of the Marine Hospital, and shall deposit the balance that shall appear to be in his hands, in such bank in the City of New York as the Board shall designate, to the credit of the Commissioners of Health. (§ 9, of same title.)

Moneys, how drawn. § 12. The moneys so deposited shall not be drawn out, except on the check of the Health Commissioner, countersigned by the President of the Board of Health. (§ 10, of same title.)*

Meetings of Commissioners. § 13. In the discharge of their duties, the Mayor and the Commissioners of Health shall meet daily at the office of the Board of Health, during such

* This and the two next preceding sections have become in part, if not wholly, inoperative, by the transfer of the control of the quarantine establishment to the Commissioners of Quarantine, and by the establishment of the Floating Hospital. But as they are not specifically repealed by any subsequent statute, they are here inserted, because it is possible cases may arise under existing laws where moneys may be received and disbursed, as directed in those sections.

part of the year, and at such hours of the day, as the said Board shall designate. (1850, *ch.* 275, § 10, *title* 1.)

§ 14. The Resident Physician shall receive an annual salary of twelve hundred and fifty dollars, to be paid by the corporation of said city; and the Health Commissioner an annual salary of three thousand five hundred dollars, in lieu of fees and per centage, which shall be paid by the Commissioners of Emigration; and after the expiration of the term of office of the present Health Commissioner and Resident Physician, the said officers shall hereafter be appointed by the Mayor of the City of New York, by and with the advice and consent of the Board of Aldermen of said city. (1850, *ch.* 275, § 11, *title* 1. *Modified by* § 7, *of ch.* 523, *of* 1851, *so as to make the salary of the Health Commissioner payable out of the city treasury and be fixed by the city authorities.*)

Salaries of
Resident
Physician
and Health
Commissioners.

§ 15. The Board of Health may, from time to time, appoint so many visiting, hospital, and consulting physicians as they may deem necessary, designate their duties, and fix their compensation. (1850, *ch.* 275, § 12, *title* 1.)

Consulting
Physicians
to be ap-
pointed.

§ 16. The Mayor, by and with the advice and consent of the Board of Aldermen, may appoint an Inspector of Vessels, who shall, under the direction of the Mayor and the Commissioners of Health, or of the Board of Health, perform the duties required

Inspector of
Vessels.

of him in this act, and shall be entitled to receive the following fees:

Fees. For each cargo inspected by him, under such direction, three dollars.

For each vessel cleansed and purified by him, under the like direction, five dollars.

Which fees shall be paid by the owner or consignee of the cargo inspected, or vessel cleansed and purified. (1850, *ch.* 275, § 13, *title* 1.)

**Duty to
make
Report.**

§ 17. It shall be the duty of such Inspector, after he shall have performed any service required of him, to make an immediate report of his proceedings, and their result, to the Board of Health, or to the Mayor and Commissioners of Health. (1850, *ch.* 275, § 14, *title* 1.)

**Commissioners of
Quarantine,
how ap-
pointed.**

§ 18. The Governor shall nominate and, by and with the advice and consent of the Senate, appoint three discreet persons, citizens of this State, who shall be residents of the Metropolitan Police District, as Commissioners of Quarantine, for the purposes of this act, who shall hold their offices for three years, and until their successors shall be appointed and qualified. He shall every three years thereafter, and as often as vacancies shall occur by reason of death, resignation, insanity, or removal from the said district, appoint, by and with the consent of the Senate, citizens as aforesaid, who shall reside in said district, to fill the places of those

commissioners whose terms shall expire or become vacant; and the persons so appointed shall hold their offices for three years, and until their successors shall be appointed and qualified. (1863, *ch.* 358, § 54.

§ 19. The said commissioners shall receive an ^{Their} annual salary of two thousand five hundred dollars ^{Salary.} each. (1863, *ch.* 358, § 55.)

TITLE II.

OF QUARANTINE AND REGULATIONS IN THE NATURE OF
QUARANTINE AT THE PORT OF NEW YORK.

ARTICLE FIRST.

*Place of Quarantine, and Vessels and Persons and
Property subject to Quarantine.*

§ 1. Quarantine for the protection of the public ^{Quarantine} health, according to the provisions of this act is ^{established.} hereby authorized, required, and established in and for the port of New York for all vessels, their crews, passengers, equipage, cargoes, and other property on board of the same, arriving thereat from other ports. (1863, *ch.* 358, § 1.)

§ 2. The quarantine establishment shall consist of: ^{Of what to} first, warehouses, wet docks and wharves; second, an- ^{consist.} chorage for vessels; third, floating hospitals; fourth, boarding station; fifth, burying ground; ~~sixth~~, resi-
dence for officers and men. (1863, *ch.* 358, § 2.)

**Warehouses,
es, &c.**

§ 3. The warehouses, wet docks and wharves, together with appropriate appurtenances for unloading and storing cargoes, and such facilities as will enable merchants to overhaul and refit vessels while in quarantine, shall be constructed at such expense and in such place in the lower bay of New York, not on Staten Island, Long Island, or Coney Island, as the Quarantine Commissioners may determine, with the approval of the Commissioners of the Land Office. (1863, *ch.* 358, § 3.)

**Their
capacity.**

§ 4. The warehouses shall be of such capacity only as will secure the best natural ventilation consistent with security for merchandise, but in the aggregate they shall be of a capacity equal to the storage of fifty medium-sized cargoes; and they shall have connected with them apartments with suitable appliances for special disinfection by forced ventilation, refrigeration, high steam, dry heat and chemical disinfection. (1863, *ch.* 358, § 4.)

Wharves.

§ 5. The wharves shall be constructed with due regard to safety and protection for vessels, and sufficiently extensive to admit of the safe moorage of at least four vessels of the largest size at the same time. There shall be two wet docks, each one capable of admitting a ship of the largest size. (1863, *ch.* 358, § 5.)

**Anchorage
at Quarantine.**

§ 6. The anchorage ground for vessels at quarantine shall be near the place where the Marine Hospital now is, and shall be designated by buoys, to

e anchored under the direction of the Health Officer; and every vessel subject to quarantine shall, immediately on her arrival, anchor within them, and there remain, with all persons arriving on her, subject to the examinations and regulations imposed by law. (1856, *ch.* 147, § 1.)

§ 7. The anchorage for vessels *under* quarantine shall be in the lower bay, distant not less than two miles from the nearest shore, and within an area to be designated by buoys by the Quarantine Commissioners and Health Officer. (1863, *ch.* 358, § 6.)*

§ 8. The Floating Hospital shall be constructed with special reference to the purposes of a hospital, and with a capacity sufficient to accommodate one hundred patients. From the first day of May to the first day of November, that Floating Hospital shall be anchored in the Lower Bay, not less than two miles distant from the nearest portion of the quarantine anchorage, and from the nearest shore. From the first day of November to the first day of May, the Floating Hospital may be moored at the

* This section, it will be observed, provides for an anchorage for vessels *under* quarantine, while the next preceding one provides for an anchorage *at* quarantine. As there is neither a general or special repealing section in the act of 1863, the compiler does not undertake to determine that the first section of the act of 1856 is repealed, or has become inoperative. The Legislature may have intended to provide two anchorages, one for the examination of vessels, and the other for their location after the Health Officer has decided to place them *under* quarantine. There are several provisions in existing statutes which give color to this construction.

quarantine wharves, or other secure place, subject to the discretion of the Commissioners of Quarantine. (1863, *ch.* 358, § 7.)

Boarding
Station.

§ 9. The boarding station for infected vessels, shall consist of the vessel at present used as a Floating Hospital, or such other vessel as may hereafter be provided, to be anchored in such proximity to the Floating Hospital and the channel as will afford the greatest dispatch in boarding and directing vessels, as soon as practicable after arrival; and shall be provided with all necessary appurtenances for personal cleanliness and the purification of personal baggage. (1863, *ch.* 358, § 8.)

Vessels sub-
ject to
Quarantine.

§ 10. Vessels arriving at the port of New York, shall be subject to quarantine as follows: 1st, All vessels from any place where disease, subject to quarantine, existed at the time of their departure, or which shall have arrived at any such place, and proceeded thence to New York, or on board of which, during the voyage, any case of such disease shall have occurred, arriving between the first day of April and the first day of November, shall remain at Quarantine for at least thirty days after their arrival, and at least twenty days after their cargo shall have been discharged, and shall perform such and further quarantine as the Quarantine Commissioners may prescribe, unless the Health Officer, with the approval of the Quarantine Commissioners, shall sooner grant a permit for said vessel or cargo, or both, to proceed. 2d. From any place, (including

islands,) in Asia, Africa, or the Mediterranean, or from any of the West Indies, Bahama, Bermuda or Western Islands, or from any place in America, in the ordinary passage from which they pass south of Cape Henlopen, and all vessels on board of which, during the voyage, or while at the port of their departure, any person shall have been sick, arriving between the first day of April and the first day of November, and all vessels from a foreign port, not embraced in the first subdivision of this section, shall, on their arrival at the Quarantine Ground, be subject to visitation by the Health Officer, but shall not be detained beyond the time requisite for due examination and observation, unless they shall have had on board during the voyage some case of quarantinable disease, in which case they shall be subject to such quarantine and regulations as the Health Officer and the Quarantine Commissioners may prescribe. 3. All vessels embraced in the foregoing provisions, which are navigated by steam, shall be subject only to such length of quarantine and regulations as the Health Officer shall enjoin, unless they shall have had on board during the voyage some case of quarantinable disease, in which case they shall be subject to such quarantine as the Health Officer and the Quarantine Commissioners shall prescribe. (1863, *ch.* 358. § 9.)

§ 11. All vessels and persons remaining at quarantine on the first day of November, shall, thereafter Vessels subject to Quarantine. be subject to such quarantine restrictions as vessels

and persons arriving on and after that day. (1856, *ch.* 147, § 3.)

Vaccination. § 12. Persons with insufficient evidence of effective vaccination, and known to have been recently exposed to small pox, shall be vaccinated as soon as practicable, and detained until the vaccinia shall have taken effect. No other well persons shall be detained in quarantine any longer than necessary to secure cleanliness. Such vaccination and disposal of persons vaccinated shall be made under regulations to be fixed by the Quarantine Commissioners and Health Officer. Persons having small pox shall be disposed of in the same manner as is done under existing laws. (1863, *ch.* 358, § 10.)

**Quarantina-
ble Dis-
eases.** § 13. The only diseases against which quarantine shall apply, are yellow fever, cholera, typhus or ship fever, and small pox, and any new disease not now known, of a contagious, infectious, or pestilential nature, at the discretion of the Quarantine Commissioners and Health Officer. (1863, *ch.* 358, § 11.)

**Sanitary
Measures.** § 14. For the purpose of sanitary measures, merchandise shall be arranged in three classes:

**Merchan-
dise subject
to.** 1. Merchandise to be submitted to an obligatory quarantine and to purification.

2. Merchandise subject to an optional quarantine; and,

3. Merchandise exempt from quarantine.

The first class comprises clothing, personal baggage and dunnage, rags, paper rags, hides, skins, feathers, hair, and all other remains of animals, cotton, hemp and woolens. The second class comprehends sugar, silks, and linen, and cattle. The third class comprehends all merchandise not enumerated in the other two classes. (1863, *ch.* 358, § 12.)

§ 15. With existing quarantinable disease on board, or if there have been any such disease on board within the last ten days preceding, merchandise of the first class shall be landed at the Quarantine warehouse. Merchandise of the second class may be admitted to pratique immediately, or transferred to the warehouses according to circumstances, at the option of the Health Officer, with due regard to the sanitary conditions of the port. Merchandise of the third class shall be declared free, and admitted without unnecessary delay. (1863, *ch.* 358, § 13.)

§ 16. In all cases where there has been quarantinable disease on board during the voyage, letters and papers shall be submitted to the usual purifications, but with such precautions as not to affect their legibility; articles of merchandise or other things not subject to purifying measures in an envelope officially sealed, shall be immediately admitted to pratique, whatever may be the condition of the vessel; and, if the envelope is of a substance considered as optional, its admission shall be equally optional. (1863. *ch.* 358, § 14.)

Merchan-
dise subject
to.

§ 17. If a vessel, though not having had during the voyage any case of quarantinable disease, yet be found in a condition which the Health Officer shall deem dangerous to the public health, the vessel and cargo shall be detained until the case shall have been considered; the decision of the Health Officer, however, in all such cases, shall be rendered within twenty-four hours. Vessels in an unhealthy state, whether there has been sickness on board or not, shall not be allowed pratique until they shall have been broken out, duly cleansed and ventilated. (1863, *ch.* 358, § 15.)

Id. § 18. If, in the judgment of the Health Officer, a vessel require it, he may order the following sanitary measures: Baths and other bodily care for the person; washing or other disinfecting means for clothing; displacement of merchandise on board or complete breaking out; subjection to high steam, incineration, or submersion, at a distance below the surface of the water, for infected articles; the destruction of tainted or spoiled food or beverages; the complete ejection of water; thorough cleansing of the hold, and the disinfection of the well. In short, the complete purification of the vessel in all her parts by the use of steam, fumigation, force pumps, rubbing or scraping, and finally sending to Quarantine anchorage, until disinfection be perfected. Whenever these divers operations are necessary, they shall always be executed before admission to pratique. (1863, *ch.* 358, § 16.)

§ 19. Admission to pratique shall be preceded by as many visits to the vessel as the Health Officer ^{Merchandise subject to.} may judge necessary. (1863, *ch.* 358, § 17.)

§ 20. No vessel shall be put in quarantine without a stated decision of the Health Officer, and the captain or master of the vessel shall be informed thereof immediately after his decision. (1863, *ch.* 358, § 18.)

§ 21. A vessel shall have the right, before breaking bulk, of putting to sea, in preference to being quarantined; in the exercise of this right, if the vessel have not arrived at her port of destination, the bill of health shall be returned; the Health Officer, however, shall mention upon said bill, the length and circumstances of the detention, and the condition of the vessel upon re-putting to sea; but, before the exercise of this right, the Health Officer must satisfy himself that the sick of such vessel will be taken care of for the remainder of the voyage, and take care of such sick as prefer to remain. (1863, *ch.* 358, § 19.)

§ 22. On arrival of infected vessels, all well persons shall have their freedom as soon as possible, consistently with the foregoing regulations; sick persons shall be immediately transferred to the floating hospital, or other hospitals appropriated for their reception, and the vessel unladen, purified, and admitted to pratique as soon as possible. All merchandise shall be placed in the warehouses, and

there freely exposed to the air, and moved from time to time to insure its perfect ventilation. In no case shall persons sick with different diseases be put in the same hospital. (1863, *ch.* 358, § 20.)

Disposition
of Merchandise.

§ 23. Merchandise coming from different vessels and places, and at different times in quarantine, shall be kept separate and placed as much as practicable in different warehouses. (1863, *ch.* 358, § 21.)

Purification
of Merchandise.

§ 24. Merchandise shall be submitted to such measures of purification as the Health Officer shall judge necessary; no putrified animal substances, or substances likely to putrify, shall be admitted into the warehouses; all such substances shall be rendered innoxious or destroyed. (1863, *ch.* 358, § 22.)

Purification
of clothes,
&c.

§ 25. The clothes and dunnage contaminated with infection of different diseases shall be purified in different places. (1863, *ch.* 358, § 23.)

Use of
Floating
Hospital.
Yellow
Fever.

§ 26. The Floating Hospital shall, from the first day of April to the first day of November, be appropriated exclusively to the care of persons sick with yellow fever; from the first day of November to the first day of April, the Floating Hospital may be used for the care of typhus or ship fever; and, until permanent provision shall be otherwise made by law, small-pox patients shall be sent to, and supported as at present at Blackwell's Island; and typhus or

Typhus or
Ship Fever.

Small-pox.

ship fever patients shall be sent to, and supported, as at present, at Ward's Island; and cholera patients ^{Cholera.} shall be provided for by the Commissioners of Quarantine, in such manner as they may determine and occasion shall demand. (1863, *ch.* 358, § 24.)

§ 27. Every vessel having had, during the voyage, a case of pestilential, infectious, or contagious disease, and every vessel from a foreign port having passengers, and not hereinbefore declared subject to quarantine, shall, on her arrival at the Quarantine Ground, be subject to visitation by the Health Officer, but shall not be detained beyond the time requisite for due examination, unless she shall have had on board, during the voyage, some case of infectious, contagious, or pestilential disease, in which case she shall be subject to such quarantine as the Health Officer, and the Mayor, and the Commissioners of Health may prescribe; and it shall be the duty of the Health Officer, whenever he thinks it necessary for the preservation of the public health, to cause the persons on board any vessel to be vaccinated. (1850, *ch.* 275, § 7, *title* 2.)

§ 28. If any vessel arriving at the Quarantine Ground, subject to quarantine, shall be bound to some port east of the city of New York, the Health Officer, after having duly visited and examined her, may permit her to pass on her voyage through the Sound; but no such vessel shall be brought to anchor off the city, nor shall any of her crew or

Infected
vessels not
before de-
clared sub-
ject to quar-
antine to be
visited.

Vessels
bound to
Eastern
ports.

passengers land in or hold any communication with the city or any person therefrom. (1856, *ch.* 147, § 5.)

Permit to
be deliver-
ed at May-
or's Office.

§ 29. The master of any vessel released from quarantine, and arriving at the city of New York, shall, within twenty-four hours after such release, deliver the permit of the Health Officer at the office of the Mayor. (1856, *ch.* 147, § 6.)

When ves-
sels at
wharves of
the city
may be
removed to
Quarantine
Ground.

§ 30. The Board of Health, or the Mayor and Commissioners of Health of the City of New York, or the Board of Health of Brooklyn, or the Health Officer of the Port of New York, whenever in their or his judgment the public health shall require, may order any vessel at the wharves of the city, or in their vicinity, to the Quarantine Ground or some other place of safety, and may require all persons, articles, or things, introduced into either city from such vessel, to be seized, returned on board thereof, or removed to the Quarantine or other place of safety. If the master, owner, or consignee of the vessel cannot be found, or shall neglect or refuse to obey the order of removal, the said Board of Health, or Mayor and Commissioners of Health, or Health Officer, shall have power to employ such assistance as may be necessary to effect such removal, at the expense of such master, owner, or consignee; and such vessel or person shall not return to the city without a written permission of the said Board of Health, or Mayor and Commissioners of Health, or

Health Officer. Whenever any person shall have been employed as above provided, to remove any vessel, or to remove any article or thing introduced into the city from such vessel, and shall, in pursuance of such employment, effect such removal, he shall have a lien on such vessel, her tackle, apparel and furniture, for his services and expenses in effecting such removal. (1857, *ch.* 412, § 1; 1863, *ch.* 358, § 46.)

§ 31. Whenever the Health Officer, in the performance of his duties, and in the execution of the powers imposed and conferred upon him by law, or by any regulation or ordinance made in pursuance of any statute of this State, shall order or direct the master, owner, or consignee of any vessel subject to quarantine to remove such vessel from her anchorage, or to do any act or thing, or comply with any regulation relative to said vessel, or to any person or thing on board thereof, or which shall have been brought to said port therein, and said master, owner, or consignee shall neglect or refuse to comply with such order or direction, the said Health Officer shall have power to employ such persons and assistance as may be necessary to carry out and enforce such order or direction, and the persons so employed shall have a lien on such vessel, her tackle, apparel and furniture, for their services and expenses. (1857, *ch.* 412, § 2; 1863, *ch.* 358, § 28.)

Special powers of the Health Officer to employ assistance.

Liens on vessels for services.

§ 32. The liens specified in the preceding sections may be enforced in the same manner as other liens

Liens defined, and how enforced.

are enforced, by warrant of attachment in the mode prescribed in Title Eight of Chapter Eight of the Third Part of the Revised Statutes, all the provisions of which title shall apply to the services and expenses specified in this Act; and the person or persons so rendering such services, and incurring such expenses, shall be deemed creditors of such vessel, and of her master, owner, or consignee respectively; or such person or persons may have and maintain an action against the master, owner, or consignee, or either of them, of such vessel, to recover the value of such services and expenses. (1857, *ch.* 412, § 3.)

Passengers
under
Quarantine
how pro-
vided for.

§ 33. All passengers, being on board of vessels under quarantine, shall be provided for by the master of the vessel in which they shall have arrived; and if the master shall omit or refuse to provide for them, or they shall have been sent on shore by the Health Officer, they shall be maintained by the Commissioners of Quarantine at the expense of such vessel, her owners, consignees, and each and every one of them; and the Health Officer shall not permit such vessel to leave quarantine until such expense shall have been repaid or secured; and the said Commissioners of Quarantine shall have an action against such vessel, her owners, consignees, and each and every one of them, for such expenses, which shall be a lien on such vessel, and may be enforced as other liens on vessels are enforced by

said Commissioners of Quarantine. (1863, *ch.* 358, § 47.)

ARTICLE SECOND.

Powers and Duties of the Health Officer and Commissioners of Quarantine.

§ 34. It shall be the duty of the Health Officer to ^{Health Officer to board} board every vessel subject to quarantine or visitation by him, immediately on her arrival, between sunrise and sunset; to inquire as to the health of all persons on board, and the condition of the vessel and cargo, by inspection of the bill of health, manifest, log-book, or otherwise; to examine on oath as many and such persons on board as he may judge expedient, to enable him to determine the period of quarantine and the regulations to which such vessel shall be made subject, and to report the facts and his conclusions, and especially to report the number of persons sick, and the nature of the disease with which they are afflicted, to the Mayor or Commissioners of Health, in writing. (1856, *ch.* 147, § 11.)

§ 38. It shall be the duty of the Health Officer to ^{Duties of Health Officer.} reside at such convenient place for the boarding of vessels as the Commissioners of Quarantine may determine, and to have the general superinten-

dence and control of the Quarantine establishment, and the care and treatment of the sick, and to carry out all the provisions of this act. And he shall have power—

To administer oaths.

1. To administer oaths and take affidavits in all examinations prescribed by this act, and in relation to any alleged violation of quarantine law or regulation; such oaths to have the like validity and effect as oaths administered by a Commissioner of Deeds.

May call on Police.

2. At all times to call upon any of the police force of the Metropolitan Police District, to a number not exceeding ten, to aid him upon any necessary emergency in enforcing the powers and duties conferred upon him by this act, and it shall thereupon become the duty of any such member of the police force so called upon to obey him; but such service shall not continue longer than twenty-four hours.

May direct arrests, when.

3. To direct, in writing, any constable or other citizen to pursue and apprehend any person who shall violate any Quarantine law or regulation, or who shall obstruct the Health Officer in the performance of his duty, and deliver him over to the said officer to be detained at Quarantine until discharged by such officer, but such confinement shall in no case exceed ten days; and it shall be the duty of the constable or other citizen so directed, to obey such directions; and every person violating the

Quarantine laws or regulations, or obstructing the Health Officer, shall be considered guilty of a misdemeanor, punishable by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment not less than three months or more than six months.

4. To select and appoint and dismiss at pleasure, ^{May appoint} as many nurses, boatmen and other employees of the Floating Hospital and Boarding Station, as may be found necessary for the care and proper treatment of the inmates thereof; and also, and in conjunction with the Quarantine Commissioners, to license lightermen, stevedores, laborers and other employees as may be found necessary, for the care and purification of vessels, merchandise, baggage, dunnage, &c., in quarantine; but the compensation of all persons so employed shall be fixed and determined by the Commissioners of Quarantine. ^{nurses, &c.}

5. To select, appoint and dismiss at pleasure, two ^{Deputies.} Assistant or Deputy Health Officers, for whose conduct he shall be responsible, and who may perform subject to his direction, all the duties required of the Health Office. (1863, *ch.* 358, § 26.)

6. To cause any vessel under quarantine, when he shall judge it necessary for the purification of the ^{Cargo and passengers to be} vessel or her cargo, passengers, or crew, or either ^{landed.} of them, to discharge or land the same at the Quarantine Ground, or some other place out of the city. (Sub. 2 of § 12 of *ch.* 147, of 1856.)

Ventilation
and clean-
ing of
Vessels.

7. To cause any such vessel or her cargo, bedding, and the clothing of persons on board, to be ventilated, cleansed and purified, in such manner and during such time as he shall direct; and, if he shall judge it necessary, to prevent infection or contagion, to destroy any portion of such bedding or clothing, and, with the authority of the Mayor or Commissioners of Health, any portion of such cargo which he may deem incapable of purification. (*Sub. 3 of same sec.*)

Cargo
may be
destroyed.

Prohibition
as to leaving
Quarantine.

8. To prohibit and prevent all persons arriving in vessels subject to quarantine, from leaving Quarantine, or removing their baggage or goods therefrom, until fifteen days after the last case of pestilential, contagious, or infectious disease shall have occurred on board, and ten days after her arrival at Quarantine, unless sooner discharged by him, with the consent of the Mayor or the Commissioners of Health. (*Sub. 4 of same sec.*)

Vaccination.

9. To cause all persons under quarantine to be vaccinated, when he deems it necessary for the preservation of the public health. (*Sub. 6 of same sec.*)

§ 39. It shall be the duty of the Health Officer, and his assistants and deputies—

Oath of
Office.

1. To take and subscribe the oath of office prescribed in article twelve of the Constitution of the State of New York.

2. To board and examine all vessels subject to ^{Boarding} quarantine as soon after arrival as practicable, between the hours of sunrise and sunset. ^{Vessels.}

3. To exercise dispatch in the disposal of persons ^{Deceased} arriving in infected vessels, to have the bodies of ^{Persons..} persons who have died of malignant diseases on board of infected vessels arriving, and such as shall have died in the Floating Hospital, interred in the Quarantine Burying Ground near Segoine's Point; and to proceed without delay, in the purification of vessels, merchandise, baggage, dunnage, and other articles in quarantine; and whenever he shall judge the same free from infection, to permit the removal thereof. No vessel or cargo, however, that has been in quarantine, shall be permitted to proceed to New York or Brooklyn, without the approval of the Mayor or Board of Health, of those cities respectively.

4. To secure the effects of deceased persons in ^{Their} quarantine from waste and embezzlement; and when ^{effects.} the rightful claimants of such effects do not appear within the period of three months, to deliver the same to the Public Administrator of the City of New York, unless the said property be of such a description as ought not to be removed, or may be destroyed under the provisions of this act.*

* See Post., sec. 3 of Miscellaneous Provisions.

To notify
Boards of
Health of
New York
and Brook-
lyn of No. of
vessels at
Quarantine,
&c. 5. To keep the Boards of Health of New York and Brooklyn, at all times informed of the number of vessels in quarantine, of the number of persons sick in the Floating Hospital, and of the diseases with which they are afflicted.

To receive
vessels sent
to them, &c. 6. To receive any vessel or merchandise sent to him by the health authorities of New York or Brooklyn, dangerous to the public health.

Cases of Yel-
low Fever. 7. To receive into the Floating Hospital any case of yellow fever that shall have been contracted in Quarantine establishment or elsewhere.

Yellow Flag. 8. To have all vessels, warehouses and merchandise in quarantine designated by a yellow flag; and to prohibit communication with or passage within range of such vessels and places, except under such restrictions as he may designate as being compatible with safety. (1863, § 27 of *ch.* 358.)

Further du-
ties of
Health
Officer. § 40. It shall be the duty of the Health Officer in the presence of immediate danger, to take the responsibility of applying such additional measures as may be deemed indispensable for the protection of the public health. (1863, *ch.* 358, § 37.)

Ligherage,
&c. § 41. The Health Officer in the ligherage, stevedorage and storage of vessels and merchandise in quarantine, may permit the captains and owners to employ ligherage and men on their own account;

all persons so employed, however, shall be subject to the same restrictions for the protection of the public health as those who may be licensed for the same services by the Health Officer and Commissioners. (1863, *ch.* 38, § 29.)

§ 42. The expenses attendant on the duties of the ~~Health Officer~~ ^{Expenses.} in relation to vessels, merchandise, baggage, dunnage, persons, and burials under quarantine, shall be paid by the masters of the vessels for which the service shall have been rendered, or in which the merchandise, baggage, dunnage, and persons shall have arrived; the storage of all merchandise in the Quarantine warehouses shall be paid for on delivery, by the owners; and the use of the wet-docks for overhauling and repairing vessels shall be paid for by the captains or owners of vessels using them. The charges for each and all of these several services shall be fixed upon and determined by the Commissioners of Quarantine. (1863, *ch.* 358, § 30.)

§ 43. It shall be the duty of the Health Officer to render an account, payable to the Commissioners of Quarantine, to all masters or owners, according to the provisions of the last preceding section hereof, within forty-eight hours after the termination of any such service; and if the master or owner of any such vessel or merchandise omits to pay the said expenses within three days after the account of the same shall have been rendered, the Commissioners ^{To render an account.}

of Quarantine shall have an action against any such vessel, her owners and consignees, or owners of merchandise, and each and every one of them, for such expenses which shall be a lien on such vessel or merchandise; in the case of passengers, however, for whom expenses shall have been incurred under quarantine, the master of the vessel in which such passengers arrived, may recover from them the amount of expenses incurred on their account; and until all such expenses be paid to the Commissioners, the vessel, cargo, and other property shall be held in quarantine. (1863, *ch.* 358, § 31.)

Custodians
of Quarantine
establishment.

§ 44. The Commissioners of Quarantine are hereby constituted the custodians of the Quarantine establishment of the Harbor and Port of New York, to be by them held in trust for the People of this State, for the purposes and subject to the provisions specified in this act. (1863, *ch.* 358, § 41.)

Duties of
Quarantine
Commissioners.

§ 45. The said Commissioners of Quarantine are hereby authorized and directed to proceed without unnecessary delay, to have constructed a floating hospital, warehouses, wet-docks, and to provide a boarding station and a residence for the Health Officer, with all appurtenances according to the provisions of this act, and to pay for the same out of the funds hereinbefore provided, and such other funds as are now held by them, or as they are or shall be empowered to raise or receive for such purposes. In the exercise of quarantine regulations at

the Harbor and Port of New York, until the completion of the establishment according to the provisions of this act, vessels or hulks may be appropriated for the service of the sick, and also for the reception of merchandise, but in such cases they shall be so disposed as to permit the separation of the sick with different diseases, and to secure the best conditions of hygiene, especially ventilation, and in no circumstances whatever shall sick persons be kept in proximity with infected vessels or merchandise. Well persons shall have their liberty as soon as practicable, consistent with the provisions of this act; and all means necessary to the protection of the public shall be instituted according to the exigencies of the case, provided they are not inconsistent with the provisions of this act. (1863, *ch.* 358, § 43.)

§ 46. All salaries and wages of the employees in the Quarantine establishment, not specially provided for in this act, shall be fixed and determined by the Health Officer. (1863, *ch.* 358, § 44.)

§ 47. The Health Officer shall present to the Commissioners of Quarantine, annually, on or before the first of February, a report of the general condition of the Quarantine establishment, with the statistics of the institution in detail, and such other information and suggestions in regard to the same as he may deem advisable; he shall also furnish to the Boards of Health of the cities of New York and Brooklyn, and to the Commissioners of Quarantine,

Report of
Health
Officer.

whenever required by them to do so, an official return of the numbers and diseases of the patients in the Floating Hospital. (1862, *ch.* 358, § 45.)

Daily Meetings of Commissioners of Quarantine.

§ 48. It shall be the duty of the Commissioners of Quarantine to hold daily meetings, (Sundays and customary holidays excepted,) from the first day of May until the first day of November, in each year, and as often in the other months as in their judgment may be necessary. They shall present, annually, a report of their proceedings, and of the condition of the Quarantine establishment, to the Legislature at the opening thereof. (1863, *ch.* 358, § 52.)

Fees of Health Officer.

§ 49. The Health Officer shall be entitled to receive the fees fixed by law for his services. He shall thereout pay all the salaries and wages of the Deputy Health Officers, and such bargemen, nurses, stewards and other employees, as may be necessary for the performance of the duties imposed upon him by this act, and for the carrying on the Quarantine establishment, except the salaries of the Commissioners of Quarantine; and the said Health Officer shall pay the current expenses of running a steamboat for the transportation of persons to and from the establishment, and for visitations and for burying the dead; but nothing in this section contained shall be construed or held to affect the liability of masters or owners of vessels, passengers, or other persons to pay for such services, labor or work, as they are respectively required to pay or discharge by the terms of this act. (1863, *ch.* 35, § 53.)

ARTICLE THIRD.

Of the Duties of Pilots in relation to Vessels subject to Quarantine.

§ 50. It shall be the duty of each Branch and ^{Duty of Pilots.} Deputy Pilot belonging to the port to use his utmost endeavors to hail every vessel he shall discover entering the port, and to interrogate the master of such vessel in reference to all matters necessary to enable such pilot to determine whether, according to the provisions of the preceding sections, such vessel is subject to quarantine or examination by the Health Officer. (1856, *ch.* 147, § 8; 1863, *ch.* 358, § 34.)

§ 51. If, from the answers obtained from such in- ^{Notice to Master of Vessel.} quires, it shall appear that such vessel is subject to quarantine or examination by the Health Officer, according to the preceding provisions, the pilot shall immediately give notice to the master of the vessel that such is the case, and that he must proceed and anchor said vessel at the Quarantine anchorage, there to await the further directions of the Health Officer. (1856, *ch.* 147, § 9, as modified by § 35 of *ch.* 358 of 1863.)

§ 52. It shall be the duty of every pilot, who shall ^{Duty of Pilots in charge of vessels.} conduct into port a vessel subject to quarantine or examination by the Health Officer:

1. To bring such vessel to anchor within the buoys marking the Quarantine anchorage.

2. To prevent any vessel or boat from coming alongside the vessel under his charge, and to prevent anything on board from being thrown into any other vessel or boat.

3. To present to the master of the vessel a printed copy of this title, when such copy shall have been delivered to him for that purpose.

4. To take care that no violations of this title be committed by any person, and to report such as shall be committed, as soon as may be, to the Health Officer. (1856, *ch.* 147, § 10; 1863, *ch.* 358, § 35.)

ARTICLE FOURTH.

Duties and Liabilities of Masters of Vessels.

Penalties
imposed
upon them.

§ 53. Every master of a vessel subject to quarantine, or visitation by the Health Officer, arriving in the Port of New York, who shall refuse or neglect either:

1. To proceed with and anchor his vessel at the place assigned for quarantine, at the time of his arrival.

2. To submit his vessel, cargo and passengers, to the examination of the Health Officer, and to furnish all necessary information to enable that officer to determine to what measures they ought respectively to be subject; or,

3. To remain with his vessel at Quarantine during the period assigned by the Health Officer, and while at Quarantine to comply with the directions and regulations prescribed by law, and with such as any of the officers of health, by virtue of the authority given to them by law, shall prescribe in relation to his vessel, his cargo, himself, his passengers, or crew, shall be guilty of a misdemeanor, and be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding twelve months, or by both such fine and imprisonment. (1856, *ch.* 147, § 28, *as modified by* § 32 *of ch.* 358 *of* 1863.)

§ 54. Every master of a vessel, hailed by a pilot, who shall either:

1. Give false information to such pilot, relative to the condition of his vessel, crew or passengers, or the health of the place or places from whence he came, or refuse to give such information as shall be lawfully required;

2. Or land any person from his vessel, or permit any person, except a pilot, to come on board of his vessel, or unlade or tranship any portion of his

cargo before his vessel shall have been visited and examined by the Health Officer;

3. Or shall approach with his vessel nearer the cities of New York or Brooklyn than the place of boarding or anchorage to which he may be directed, shall be guilty of the like offense, and be subject to the like punishment; and any person who shall land from any vessel, or unlade or tranship any portion of her cargo under like circumstances, shall be guilty of the like offense, and be subject to the like punishment. (1856, *ch.* 147, § 29, *as modified by* § 33 *of ch.* 358 *of* 1863.)

ARTICLE FIFTH.

Regulations concerning the Treatment and Conduct of Persons, Vessels and Property under Quarantine.

Designation by colors. § 55. Every vessel during her quarantine shall be designated by colors, to be fixed in a conspicuous part of her main shrouds. (1856, *ch.* 147, § 17.)

Permit required to pass through range of vessels. § 56. No vessel or boat shall pass through the range of vessels lying at Quarantine, or land at the Quarantine Grounds or wharves, without the permission of the Health Officer. (1856, *ch.* 147, § 18.)

§ 57. No lighter shall be employed to load or unload vessels at Quarantine without permission of the Health Officer, and subject to such restrictions and regulations as he shall impose. (1856, *ch.* 147, § 19.) Lighters not to be employed without permit.

§ 58. The Health Officer, upon the application of the master of any vessel under quarantine, may confine, in any suitable place on shore, any person on board of such vessel charged with having committed an offense punishable by the laws of this State or of the United States, and who cannot be secured on board of such vessel, and such confinement may continue during the quarantine of such person, or until he shall be proceeded against in due course of law; and the expenses thereof shall be charged and collected as in the last preceding (33d) section. 1856, *ch.* 147, § 21; 1863, *ch.* 358, § 48.) Persons charged with offense may be confined on shore.

§ 59. The Health Officer, or the Physician of the Marine Hospital, may direct, in writing, any constable or other citizen, to pursue and apprehend any person, not discharged, who shall elope from Quarantine, or who shall violate any Quarantine law or regulation, or who shall obstruct the Health Officer, or the Physician of the Marine Hospital, in the performance of their duty, and to deliver him to said officer or officers, to be detained at Quarantine until discharged by said officer or officers; but such confinement shall in no case exceed ten days. It shall be the duty of the constable, or other citizen Persons eloping from Marine Hospital may be arrested.

so directed, to obey such directions; and every such person so eloping or violating the Quarantine laws and regulations, or obstructing the Health Officer, shall be considered guilty of a misdemeanor, punishable with or by fine and imprisonment. (1856, *ch.* 147, § 13.)

Care of the sick.

§ 60. Every sick person sent to the Marine Hospital, by the Health Officer, shall be there kept and attended to with all necessary and proper care, and no such person shall leave the hospital until the Health Officer shall grant a discharge in writing. (1856, *ch.* 147, § 14.)

Indigent emigrants.

§ 61. The Commissioners of Emigration shall remove from the Marine Hospital and take charge of all indigent emigrants whose quarantine has expired, and who shall have sufficiently recovered from the diseases with which they were admitted, on the notification, in writing, of the Health Officer, that such removal will not, with ordinary care, endanger the safety of the individual, or the health of the community. (1856, *ch.* 147, § 15.)

Alien passengers—
how taken
care of.

§ 62. The Commissioners of emigration shall receive into their hospitals all alien passengers for whom bonds shall have been given, or commutation paid, under the several acts of this State relating to alien passengers arriving at the Port of New York, who shall be affected with any contagious or infectious disease, other than yellow fever, and sent to such hospital by the authority of the Health Officer.

They shall defray the expenses of such patients out of the moneys by them received on account of bonds or commutation. (1863, *ch.* 358, § 50.)

§ 63. Any person aggrieved by any decision, or-^{Appeal, to whom to be made.} der or direction of the Health Officer, may appeal therefrom to the Commissioners of Quarantine, who shall constitute a Board of Appeal; the said Board shall have power to affirm, reserve or modify the decision, order or direction appealed from, and the decision of said Board thereon shall be final. (1856, *ch.* 147, § 22, *as modified by* § 38 *of ch.* 358 *of* 1863.)

§ 64. An appeal to the Board of Appeal must be ^{How made.} made by serving upon the Health Officer a written notice of such appeal within twelve hours (Sundays excepted) after the appellant receives notice of the order, decision or direction complained of. Within twelve hours after the Health Officer receives such notice, (Sundays excepted,) he shall make a return in writing, including the facts on which his order, ^{Health Officer's return of facts.} decision or direction was founded, to the President of the Board of Commissioners of Quarantine, who shall immediately call a meeting of the Board of Appeal; and said appeal shall be heard and decided ^{Decision.} within twenty-four hours thereafter, (Sundays excepted;) and until such decision be made, the order, decision or direction complained of, except it refer to the detention of a vessel, her cargo or passengers at Quarantine, shall be suspended. (1856, *ch.* 147, § 23, *as modified by* § 39 *of ch.* 358 *of* 1863.)

ARTICLE SIXTH.

Penalties for Violating the Provisions of this Title.

For refusing or neglecting to obey Officers of Health. § 65. Any person who shall violate any provision of this act, or neglect or refuse to comply with the directions and regulations which any of the officers of health may prescribe, shall be guilty of a misdemeanor, and be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding twelve months, or both by such fine and imprisonment. (1856, *ch.* 147, § 30; 1863, *ch.* 358, § 36.)

Punishment for obstructing the Health Officer. § 66. Every person who shall oppose or obstruct the Health Officer in performing the duties required of him by law, and every person who shall go on board of, or have any communication, intercourse, or dealing with, any vessel under quarantine, or with any of her crew or passengers, without the permission of the Health Officer, or who shall, without such permission, invade the Quarantine Grounds or anchorage, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment, not less than three nor more than six months, in the Penitentiary; and such offender shall be detained at Quarantine so long as the Health Officer shall direct, not exceed-

Punishment for holding communication with vessel, &c., without permit.

ing twenty days. In case such person shall be taken sick of any infectious, contagious, or pestilential disease, during such twenty days, he shall be detained for such further time, at the Marine Hospital, as the Health Officer shall direct. (1856, *ch.* 147, §§ 31, 32, and 1857, *ch.* 412, § 4.)

Offender
may be de-
tained at
Quarantine.

§ 67. Exclusive jurisdiction of the offenses specified in the preceding section is hereby given to the Courts of General and Special Sessions of the Peace of the City of New York; and it shall be the duty of the District Attorney of the City and County of New York to prosecute all persons guilty of such offenses in preference to any indictment then in his office; and it shall be the duty of either of said Courts to hear and try the offenses against this act in preference to all other cases pending before it; and whenever any person shall be convicted on a trial for such offense, the Court shall forthwith proceed to pronounce judgment upon him, according to the terms prescribed in this act. (1857, *ch.* 412, § 5.)

Jurisdiction
of offenses
under the
act of 1857.

Special Du-
ty of Dis-
trict Attor-
ney and
Courts.

Speedy
trial, and no
suspension
of sentence.

§ 68. Every person who shall violate the provisions of this act, by refusing or neglecting to obey or comply with any order, prohibition, or regulation made by the Board of Health, in the exercise of the powers herein conferred, shall be guilty of a misdemeanor, punishable by fine and imprisonment, in the discretion of the Court by which the offender shall be tried. (1856, *ch.* 147, § 33.)

Penalty for
other acts
under act of
1856.

Penalties,
how recovered under
act of 1863.

§ 69. The penalties and forfeitures prescribed by this act may be sued for and recovered, with costs of suit, by and in the name of the Commissioners of Quarantine, according to the provisions of "An Act concerning Passengers in Vessels coming to the City of New York," passed May fifth, eighteen hundred and forty-seven. (1863, *ch.* 358, § 40.)

Jurisdiction
of offenses
under act of
1856.

§ 70. The Courts of General and Special Sessions of the Peace of the City and County of New York shall have exclusive jurisdiction of all offenses against the provisions of this act; and it shall be the duty of the District Attorney of the City and County of New York to prosecute all persons guilty of such offenses without delay. (1856, *ch.* 147, § 34.)

Jurisdiction
over offenses
under
act of 1863.

§ 71. Exclusive jurisdiction of the offenses specified in this act is hereby given to the Courts of General and Special Sessions of the Peace of the City of New York, and General Sessions of the County of Kings; and it shall be the duty of the District Attorneys of the City and County of New York and County of Kings, respectively, to prosecute all persons guilty of such offenses in preference to any indictment then in their offices; and it shall be the duty of either of the said Courts to hear and try the offenses against this act in preference to all other cases pending before it; and whenever any person shall be convicted on a trial for such offense, the Court shall forthwith proceed to pronounce

judgment upon him, according to the terms prescribed in this act. (1863, *ch.* 358, § 49.)

TITLE III.*

INTERNAL REGULATIONS FOR THE PRESERVATION OF THE PUBLIC HEALTH OF THE CITY OF NEW YORK.

ARTICLE FIRST.

*Of certain Duties and Powers of the City Inspector,
the Board of Health, and the Mayor and Commis-
sioners of Health.*

§ 1. The City Inspector of the City of New York, <sup>City In-
spectors.</sup> shall have power—

1. To appoint, by and with the advice and con- <sup>Health
Wardens.</sup> sent of the Board of Aldermen of said city, from time to time, all and so many Health Wardens and other officers as the Common Council or the Board of Health shall direct, to carry into effect the provisions of this title, and the rules and regulations of the Board of Health, the laws and ordinances of the Common Council of said city, and the laws of this State relating to the public health. Such Health Wardens and officers shall be subject to the supervision and control of the City Inspector.

* The whole of this title is taken from title 3 of *ch.* 275 of 1850.

Their duties.

2. To authorize such officers, at such times as he shall think fit, to enter into and examine in the day time all buildings, lots, and places of every description within the city, and to ascertain and report to the Mayor and Commissioners of Health the condition thereof, so far as the public health may be affected thereby.

Duty of City Inspector on complaint.

3. It shall be the duty of the City Inspector, on complaint being made to him, or whenever he shall deem any business, trade, or profession, carried on by any person or persons in the City of New York detrimental to the public health, to notify such person or persons to show cause, before the Board of Health, at a time and place to be specified in such notice, why the same should not be discontinued or removed, which notice shall be a notice of not less than three days, (except in case of epidemic or pestilence, the Board of Health may, by general order, direct a shorter time, not less than twenty-four hours,) and may be served by leaving the same at the place of business or residence of the parties to be affected thereby. Cause may be shown by affidavit, and the order of the Board of Health shall be final and conclusive thereon.

Cleansing and purifying buildings, &c.

4. The said City Inspector to give all such directions, and adopt all such measures for cleansing and purifying all such buildings, lots and other places, and to do or cause to be done everything, in relation thereto, which, in the opinion of the Mayor and

the Commissioners of Health of the city, shall be deemed necessary. Every person who shall disobey any order of the City Inspector, or the Board of Health, which shall have been personally served upon them, to abate or remove any nuisance in the manner and at the time described in such order, shall, on complaint of the City Inspector, or of the person serving such order, before the Mayor or any Police Justice of said city, be liable to arrest, and summary punishment by fine, not exceeding one thousand dollars, or imprisonment not exceeding one year, or by both such fine and imprisonment.

5. To adopt such prompt measures, to prevent ^{Further} the spreading of any contagious, infectious, or pestilential disease, as shall be directed by the Mayor and the Commissioners of Health, when it shall appear to the Mayor and Commissioners of Health that any person within the city is afflicted with any disease of that character. ^{duties.}

§2. The Mayor, Aldermen and Commonalty of By-Laws. the City of New York shall have full power and authority to make and pass all such by-laws and ordinances as they shall from time to time deem necessary and proper, for the preservation of the public health of said city, and also for the abatement and removal of all and every nuisance in said city, and for compelling the proprietors or owners of the lot or lots, upon which the same may be, to abate and remove the same.

Nuisances.

§ 3. It shall be lawful for the said Mayor, Aldermen and Commonalty, in all cases where they may deem it necessary for the more speedy execution of said by-laws or ordinances, or any of them, to cause any such nuisance or nuisances to be abated or removed at their own expense, and they are hereby authorized to levy and collect the sum or sums so expended, with lawful interest and all reasonable costs and expenses attending such proceedings, by distress and sale of the goods and chattels of the proprietors or owners of the lots and premises, from which such nuisance or nuisances shall have been abated or removed, or to recover the amount of every such expense, by action in any court of record, from such owner or owners respectively, on whose account the same shall have been expended, their respective heirs, executors, or administrators; in all which actions they shall, also, recover lawful interest upon the amount of said expenses from the time of payment thereof, with full costs of suit.

Expenses of removing.

§ 4. That the amount of every such expense, which the said Mayor, Aldermen and Commonalty shall incur or pay, as aforesaid, on account of the owner or owners of such lots or premises, for the abatement or removal of any such nuisance or nuisances, shall be a real incumbrance upon the lots and premises from or upon which nuisance or nuisances shall be abated or removed, and shall bear lawful interest until paid, and that the same may be recovered or the payment thereof, with costs, enforced

in like manner, as if the said lots and premises were mortgaged to the said Mayor, Aldermen and Commonalty for the payment thereof.

§ 5. It shall be the duty of the Board of Health—
Duties of
Board of
Health.

1. To cause any avenue, street, alley, or other passage whatever, to be fenced up or otherwise inclosed, if they shall think the public safety requires it, and to adopt suitable measures for preventing all persons from going to any part of the city so inclosed.

2. To forbid and prevent all communication with the house or family infected with any contagious, infectious, or pestilential disease, except by means of physicians, nurses, or messengers, to carry the necessary advice, medicines, and provisions to the afflicted.

3. To adopt such measures, for preventing all communication between any part of the city infected with a disease of a pestilential, infectious, or contagious character, and all other parts of the city, as shall be prompt and effectual.

4. To procure suitable places for the reception of persons sick of any pestilential, infectious, or contagious disease, and, in all cases where sick persons cannot otherwise be provided for, to procure for them proper medical and other attendance and provision.

5. To publish, from time to time, all such regulations as they shall have made, in such manner as to secure early and full publicity thereto.

6. To issue warrants to any constable or police officer in said city, to apprehend and to remove such person or persons as cannot otherwise be subjected to the regulations by them adopted; and, whenever it shall be necessary so to do, to issue their warrant to the Sheriff of the City and County of New York, to bring to their aid the power of the county; all which warrants shall be forthwith executed by the officers to whom the same shall be directed, who shall possess the like powers, and be subject to the like duties, in the execution thereof, as if the same had been duly issued out of any court of record in this State.

When cargo
may be re-
moved or
destroyed.

§ 6. The Board of Health, or the Mayor and the Commissioners of Health, when they shall judge it necessary, may cause any cargo, or part of cargo, or any matter or any thing within the city, that may be putrid or otherwise dangerous to the public health, to be destroyed or removed; such removal, when ordered, shall be to the Quarantine Ground, or such other place as the Board of Health shall direct; such removal or destruction shall be made at the expense of the owner or owners of the property so removed or destroyed, and the same may be recovered from such owner or owners, in an action at law, by the Mayor, Aldermen, and Commonalty of said city.

§ 7. The Board of Health may send to the Marine Hospital, or such other place as the Board of Health may direct, all aliens and other persons in the city, not residents thereof, who shall be sick of any infectious, pestilential, or contagious disease. The expense of the support of such aliens or other persons shall be defrayed by the Corporation of the City of New York, unless such aliens or other persons shall be entitled to be supported by the Commissioners of Emigration.

Non-resident sick to be sent to Hospital.

§ 8. The Board of Health shall have power to take possession of, and occupy, for temporary hospitals, any building or buildings in the said city, during the prevalence of an epidemic, if, in their judgment, the same may be required, and shall pay for private property so taken, a just compensation for the same.

Hospitals, temporary.

§ 9. It shall be the duty of the Mayor and the Commissioners of Health, from time to time, to communicate to the Board of Health all reports that shall be made to them, or either of them, under the provisions of this law; and it shall be the further duty of the Mayor and the Commissioners of Health, and of each of them, so to communicate all information in their power that may the better enable the Board of Health to preserve the health of the city.

Mayor and Commissioners of Health to report.

ARTICLE SECOND.

Of the Duties of Physicians and other Persons.

Duties of
Physicians.

§ 10. It shall be the duty of each and every practicing physician in the City of New York:

1. Whenever required by the Board of Health, or the Mayor and the Commissioners of Health of said city, to report to the City Inspector of said city, at such times and in such forms as said Board may prescribe, the number of persons attacked with any pestilential, contagious, or infectious disease attended by such physician for the twenty-four hours next preceding, and the number of persons, attended by such physician, who shall have died in said city during the twenty-four hours next preceding such report, of any such pestilential, contagious, or infectious disease.

2. To report in writing to the City Inspector, the Board of Health, or to the Mayor and the Commissioners of Health, every patient he shall have laboring under any pestilential, contagious, or infectious disease, and within twenty-four hours after he shall ascertain or suspect the nature of the disease.

3. To report to the City Inspector, when required by the Board of Health, the death of any of his patients who shall have died of disease within

twenty-four hours thereafter, and to state in such report the specific name and type of such disease.

§ 11. Every person keeping a boarding or lodging-house in the City of New York, shall, whenever required by the Mayor and the Commissioners of Health, report in writing to the City Inspector, the Board of Health, or the Mayor and the Commissioners of Health, the name of every person who shall be sick in his house, within twelve hours after each case of sickness shall have occurred.

§ 12. Every master, owner or consignee of a vessel, lying at a wharf, or in the harbor of the city of New York, shall make a like report, and within the same period, of the name of every sick person on board such vessel, and no person shall be removed therefrom without a written permit for that purpose from the Board of Health, or the Mayor, or one of the Commissioners of Health.

§ 13. It shall be the duty of each Commissioner of Health, and of each visiting, hospital and consulting physician, to make an immediate report to the Board of Health, of the name of every practicing physician by whom he shall have reason to believe the provisions of the tenth section of this title have been violated; and, if such physician shall neglect or refuse to perform his duty, the Board shall suspend him from his office, and he shall, moreover, be liable to such further penalty as the said Board shall prescribe.

ARTICLE THIRD.

Prohibitions and Penalties.

Packing
salted pro-
visions may
be prohib-
ited.

§ 14. The Board of Health shall have power to prohibit, at such times and for such period and periods of time as they shall see cause, the packing or repacking of any salted provisions in any and all parts of the city.

Ib.

§ 15. No salted or pickled beef, pork or fish, (except smoked beef and fish,) shall be deposited in such part or parts of the city, during the period or periods of time so prohibited by the Board of Health under the last preceding section.

Exception.

§ 16. The last preceding section shall not be construed to prevent retail grocers, or other small dealers, from keeping on hand, for the use of their customers, small quantities, not exceeding five barrels, of each kind of provisions therein mentioned, if the provisions so kept be sound and in good order.

Prohibited
articles
when de-
posited to
be reported.

§ 17. All salted or pickled provisions, and all hides, skins, and cotton, that may be deposited in those parts of the city wherein the Board of Health shall prohibit the packing or re-packing of salted provisions, at the time or times when such prohibition may be made, shall be reported forthwith, by the owner or person having charge thereof, to the office of the City Inspector, that the same may be examined, and, if necessary, destroyed or removed.

§ 18. If such articles, when ordered to be removed ^{To be removed.} by the City Inspector, shall not be forthwith removed by the owner or person having charge thereof, the City Inspector shall cause them to be removed to some safe place, there to remain at the risk of the owner.

§ 19. The expense of the removal, and subsequent storage of such articles, shall be borne by the owner ^{Expense thereof to be borne by owner.} or person having charge thereof, when removed, and, if paid in the first instance by the City Inspector, may be recovered by the City Inspector, in an action against such owner or bailee; or, if payment of such expenses be refused by the owner or bailee, the City Inspector may cause such articles to be sold, and shall account for the proceeds, deducting such expenses and the cost of sale.

§ 20. Nothing contained in this article shall be ^{Exception.} construed to extend to provisions exposed for sale by butchers in the public markets, or kept by the heads of families for family use.

§ 21. Every person who shall refuse or neglect to ^{Penalties.} obey the directions of this article, or of the Board of Health, or City Inspector, pursuant thereto, in relation to the provisions and other articles above mentioned, shall be considered guilty of a misdemeanor, and, on conviction, shall be subject to fine or imprisonment, or both, at the discretion of the Court. Such fine shall not exceed one thousand

dollars, and such imprisonment shall not exceed two years.

Rags, hides, and skins, prohibition. § 22. No rags, hides, or skins, arriving in the port of New York, shall be deposited in any part of the city within which the Board of Health shall have prohibited the packing or re-packing of salted provisions, and all such articles brought into the city contrary to the above provision, may be seized and sold by the Mayor and the Commissioners of Health for the use of the Marine Hospital.

Exception. § 23. The Board of Health, or the Mayor and the Commissioners of Health, may, however, permit sound hides and skins to be brought into any part of the city, in small quantities, and for the purpose of immediate manufacture, but not otherwise.

Damaged cotton to be reported. § 24. It shall be the duty of the master and owner of every vessel that shall have brought cotton into the city between the first day of May and the first day of November, in any year, and of the owner and consignee of such cotton, if, upon examination, it shall appear damaged, or otherwise unsound, to make an immediate report thereof to the Mayor and the Commissioners of Health.

Penalty for neglect to report. § 25. Every master or owner, or consignee, refusing or neglecting to perform the duties so enjoined, shall, for each offense, forfeit to the Commissioners of Health the sum of five hundred dollars.

§ 26. Every person who shall violate any regulation, order, or direction of the City Inspector, or of the Board of Health, made or given in the exercise of any powers vested in them by any section of this title, shall be considered guilty of a misdemeanor, and, on conviction thereof, be subject to fine or imprisonment, or both, at the discretion of the Court. Such fine shall not exceed one thousand dollars, and such imprisonment shall not exceed two years.

§ 27. Every practising physician who shall refuse or neglect to perform the duties enjoined on him by the tenth section of this title, shall be considered guilty of a misdemeanor; and shall also forfeit for each offense the sum of two hundred and fifty dollars, to be sued for and recovered by the Board of Health.

§ 28. Every keeper of a boarding or lodging house, and every master, owner or consignee of a vessel who shall refuse or neglect to obey the orders and directions of the Mayor and the Commissioners of Health, as provided in the eleventh and twelfth sections of this title, shall be considered guilty of a misdemeanor; and, on conviction, shall be fined for each offense in a sum not exceeding two hundred and fifty dollars, or be imprisoned for a term not exceeding six months.

ARTICLE FOURTH.

General Provisions.

Power to
extend pro-
visions of
this act.

§ 29. Whenever it shall appear to the Board of Health that any of the provisions of this Act, limited in their operations to a certain period of the year, ought to be extended, the Mayor of the City shall issue his proclamation, extending such provisions to such time as shall be determined on by said Board, and such provisions shall thereupon be extended accordingly, and with the like effect as if the periods mentioned in the proclamation had been herein enacted.

Mayor may
revoke pro-
clamation.

§ 30. If it shall appear to the Board of Health, while such proclamation is still in force, that the necessity of extending the period therein named has ceased, the Mayor, by a new proclamation, declaring that fact, shall revoke the proclamation issued pursuant to the preceding section, which shall then cease to have effect.

Fines and
penalties,
how col-
lected.

§ 31. All fines, forfeitures, and penalties imposed in this act, or under the powers delegated therein, shall be paid to the Health Commissioners, to and for the use of the city of New York, and such as are recoverable by suit shall be sued for by the Commissioners of Health, in their name of office, unless otherwise herein provided.

§ 32. It shall be duty of the Mayor and the Commissioners of Health, and each of them, to give information to the District Attorney of the City and County of New York, of all offenses against the provisions of this act that shall come to their knowledge, that he may prosecute the offenders without delay, in the Court of Sessions of the city.

Offenses to
be reported
to District
Attorney.

§ 33. No suit that shall be brought by the Board, or Commissioners of Health, or the Health Officer, or City Inspector, in their respective names of office, in pursuance of the authority given in this act, shall abate, on account of the death of the officer or officers by whom the same shall be commenced.

Suits not
abate.

§ 34. The provisions of the foregoing titles of this act shall extend to all diseases which, in the opinion of the Board of Health, or of the Mayor and Commissioners of Health, shall be deemed dangerous to the public health; and nothing in this act shall be construed to interfere with the remedies against nuisances, provided by the common law.

Declaratory.

§ 35. The Mayor and the Commissioners of Health shall, from time to time, cause such parts as they shall deem necessary of this act to be printed, and shall deliver the same to the respective pilots of the port for distribution to the masters of vessels subject to quarantine.

Act to be
printed and
distributed.

§ 36. It shall be the special duty of all magistrates

Duties of
magistrates.

and civil officers, and of all citizens of the State, to aid, to the utmost of their power, the Board of Health, and all the Health Officers mentioned in this act, in the performance of their respective duties.

Bills of
Health.

§ 37. Bills of Health to masters of vessels shall be granted by the Mayor.

TITLE IV.

MISCELLANEOUS PROVISIONS.

What alien
passengers
are to be re-
ceived into
Hospital.

§ 1. The Commissioners of Emigration shall receive into the Marine, or other hospital for quarantine purposes, all alien-passengers for whom bonds shall have been given, or commutation paid, under the several acts of this State relating to alien passengers arriving at the Port of New York, who shall be affected with any contagious or infectious disease, and sent to such hospital by the authority of the Health Officer. They shall defray the expenses of such patients out of the moneys by them received on account of bonds or commutation. They shall also receive and provide for all other patients or passengers who shall have landed from any vessel at the port of New York, affected with any contagious or infectious disorders, who shall be directed to be so received by the Health Officer, or

the Board of Health; they shall be entitled to receive for each person so admitted, (other than aliens as above-mentioned,) at the rate of three dollars per week for their support and medical care, which shall be at the expense of the owner or consignee of any vessel in which such person shall have arrived, and from which they shall have landed, and no vessel shall be permitted to leave Quarantine until such expense shall have been paid, or secured to be paid, to the satisfaction of the Commissioners of Emigration, or the officer duly authorized by them for such purpose. (1849, *ch.* 350, § 13.)

§ 2. The Board of Health may supply any vacancy that may occur in the office of either of the Commissioners of Health of the City of New York, whether arising from the temporary inability of the officer to discharge his duties, or otherwise; but the person so appointed shall hold his office only until such inability be removed, or the sense of the Governor, or of the Governor and Senate, be declared. (*Part II, ch. V, Title V, § 13, R. S.*)

§ 3. Whenever any effects of a deceased person, of which the public administrator is authorized to take charge, shall be at the Quarantine at the time of the death of such person, or shall arrive there afterwards, it shall be the duty of the Health Officer, or his deputy, whichever shall be present, to secure the said effects from waste and embezzlement, and immediately to give information of such effects to the

Vacancies in
Office of
Commis-
sioners of
Health, how
filled.
Health Offi-
cer to take
charge of
effects of
persons dy-
ing at Quar-
antine.

public administrator, to cause an inventory, or account thereof, to be taken, and to deliver the same to the said public administrator, unless the said property be of such a description as ought not to be removed, or may be ordered to be destroyed under the laws concerning the public health. (*Part II, ch. 6, title VI, § 14, R. S.*)

Hospital
moneys to
be paid be-
fore vessel
proceeds.

§ 4. The Health Officer shall not grant a permit to any vessel subject to quarantine, to approach the city of New York beyond the place assigned for quarantine, until satisfactory evidence shall be adduced that all hospital money demanded from the master of such vessel has been duly paid, or until satisfactory security be given that the same will be paid. (1854, *ch. 172, § 6.*)

Board of
Health may
appoint an
agent.

§ 5. The Board of Health of the city of New York may appoint any physician in their employ, or in that of the Commissioners of Emigration, to act as the agent of the Board of Health, in all matters concerning the protection of the city against the introduction of contagious or infectious diseases. (1849, *ch. 350, § 11.*)

Commis-
sioners of
Emigration
to appoint
agents to
board ves-
sels.

§ 6. The Commissioners of Emigration may, when in their opinion it shall seem necessary, appoint a proper person or persons, to board vessels from foreign ports at the Quarantine Ground or elsewhere in the Port of New York, having on board emigrant passengers, for the purpose of advising such emigrants and putting them on their guard against

fraud and imposition; and the Health Officer is hereby required to prevent any person or persons from going on board such vessels, which may be subject to examination by him, until after the said person or persons, appointed by the Commissioners of Emigration, shall have had sufficient opportunity to perform their duty. (1848, *ch.* 219, § 6.)

§ 7. It shall be the duty of the said Trustees (*of the Seamen's Fund and Retreat,*) to contract with the Health Commissioners for the support of sick and disabled seamen who were subject to quarantine, and shall pay to the said Commissioners the reasonable expenses, so contracted for, of all such sick and disabled seamen during the time they shall be subject to quarantine and remain at the Marine Hospital under their direction. (1854, *ch.* 172, § 7.)

§ 8. The Health Officer of the Port of New York shall have power at all times, to call upon any of the police force of the district, to a number not exceeding ten, to aid him upon any necessary emergency in enforcing the powers and duties conferred upon his office by law, and it shall thereupon become the duty of any such member of the police force, so called upon, to obey him. But such service shall not continue longer than twenty-four hours. (1857, *ch.* 569, § 19.)

§ 9. The Commissioners of Emigration shall execute and acknowledge a suitable and proper con-

Trustees of
Seamen's
Fund and
Retreat to
contract
for support
of sick.

Health Officer may call
on police to
enforce his
orders.

Commissioners of
Emigration

to convey
lands.

veyance, to be approved by the Attorney General, conveying to the State all the right, title and interest which they have in the real estate on Staten Island, now or formerly occupied for quarantine purposes as a Marine Hospital; which conveyance, after being recorded in the office of the Clerk of the County of Richmond, shall be filed in the office of the Secretary of State. (1863, *ch.* 353, § 51.)

Quarantine
lands to be
sold.

§ 10. The Commissioners of the Land Office are hereby authorized and directed, without unnecessary delay, to sell the lands owned and hitherto used on the eastern shore of Staten Island, heretofore known as the "Marine Hospital," except that portion of the southeast corner of said lands described and bounded as follows: "All that part of the Quarantine Grounds commencing on Arrietta Street at a point on the southerly wall of said grounds, three hundred and fifty feet distant from the southwesterly intersection of said wall with the easterly line of said Tompkins Avenue; thence northerly, on a line parallel to said Tompkins Avenue, four hundred feet; thence south eighty-four degrees and fifteen minutes east, on a line parallel with said southerly wall on the north margin of said Arrietta Street to the pier line as established by the Harbor Commissioners; thence southerly along said pier line to the intersection with a line of said southerly wall prolonged; thence westerly to and along said wall on the north margin of said Arrietta Street to the place of beginning, which

shall be reserved from such sale for a landing and boarding station, and such other purposes as may be necessary, until a permanent Quarantine station shall have been provided, except that said parcel of ground, or any part thereof, shall not be used or occupied for hospital purposes, or for the reception, depositing, or storing of any article or thing which may have been taken from any vessel arriving at the Port of New York that may be subject to quarantine;" and also the land at Segoine's Point, excepting the burying ground, which shall be retained as a part of the new Quarantine, together with all the buildings, and the proceeds of the same shall be held subject to and for the purposes of this act. And for the purposes of enabling the Commissioners of the Land Office to convey an unincumbered title to purchasers, the amount which may be due upon the mortgage or mortgages upon the said premises, executed by the Commissioners of Emigration, shall be paid, the said Commissioners of Emigration being required to pay fifty thousand dollars of the amount due upon such mortgages from the funds in their hands, and the residue shall be paid from the proceeds of the sale by the Commissioners of the Land Office. (1863, *ch.* 358, § 42, *as amended by ch.* 398 of 1864.)

§ 11. The sum of fifty thousand dollars, or so much thereof as may be necessary for that purpose, is hereby appropriated out of any moneys in the treasury belonging the general fund, not otherwise

Appropriation.

appropriated, to defray the expense of selecting, providing, fitting up and maintaining temporary facilities and accommodations for persons and property under and subject to quarantine, until permanent facilities and accommodations shall be provided, under and pursuant to chapter three hundred and fifty-eight of the laws of eighteen hundred and sixty-three.

Temporary
Board of
Commis-
sioners of
Quarantine.

Cyrus Curtiss, of the City and County of New York, Richard H. Thompson, of the County of Kings, and William C. Anderson, of the County of Richmond, are hereby appointed a temporary Board of Quarantine Commissioners, with power, in their discretion, to select, provide, fit up and maintain such temporary facilities and accommodations, with all necessary appurtenances for persons and property under and subject to quarantine, as said Commissioners shall deem necessary for the protection of the public health; said Commissioners shall faithfully examine, ascertain, conclude upon, and report in writing to the Legislature at its next session, the most feasible plan, in their judgment, for the location of the warehouses for the permanent Quarantine establishment. They shall hold their offices for the period of one year, or until permanent Quarantine Commissioners are appointed, under and pursuant to the chapter and laws aforesaid; and they shall exercise the powers and discharge the duties prescribed by said chapter and laws, excepting those named in sections three, four, five

and forty-three, referring to the construction of a permanent Quarantine. They shall not receive any compensation for their services, but the necessary expenses and expenditures of said temporary Commissioners, in discharging the duties imposed by this section, shall be paid out of said sum, on the warrant of the Comptroller, upon the certificate of said Commissioners.

*An Act of Congress Respecting Quarantine and Health
Laws, Passed February 25, 1799.*

§ 1. That the quarantine and other restraints, which shall be required and established by the health laws of any State, or pursuant thereto, respecting any vessel arriving, or bound in, any port or district thereof, whether from a foreign port or place, or from another district of the United States, shall be duly observed by the collectors and all other officers of the revenue of the United States, appointed and employed for the several collection districts of such States respectively, and by the masters and crews of the several revenue cutters, and by the military officers who shall command in any fort or station upon the sea coast; and all such officers of the United States shall be, and they hereby are, authorized and required faithfully to aid in the execution of such quarantines and

Quarantine
&c., by the
laws of the
State to be
observed by
officers of
the United
States.

To aid in
their execu-
tion.

Secretary
of Treasury
may vary
regulations
as to entry
and report
of vessels
and cargoes.

Provisos.

health laws, according to their respective powers and precincts, and as they shall be directed from time to time by the Secretary of the Treasury of the United States. And the said Secretary shall be, and he is hereby authorized when a conformity to such quarantine and health laws shall require it, and in respect to vessels which shall be subject thereto, to prolong the terms limited for the entry of the same, and the report or entry of their cargoes, and to vary or dispense with any other regulation applicable to such reports and entries: *Provided*, That nothing herein shall enable any State to collect a duty of tonnage or impost without the consent of the Congress of the United States thereto; and *Provided*, That no part of the cargo of any vessel shall, in any case, be taken out or unladen therefrom, otherwise than as by law is allowed, or according to the regulations hereinafter established.

If prohibited from coming to ports of entry, &c., may discharge elsewhere.

§ 2. That when, by the health laws of any State, or by the regulations which shall be made pursuant thereto, any vessel arriving within a collection district of such State, shall be prohibited from coming to the port of entry or delivery by law established for such district, and it shall be required or permitted by such health laws, that the cargo of such vessel shall or may be unladen at some other place within or near to such district, the collector authorized therein, after due report to him of the whole of such cargo, may grant his especial war-

rant or permit for the unlading and discharge thereof, under the care of the surveyor, or of one or more inspectors, at some other place where such health laws shall permit, and upon the conditions and restrictions which shall be directed by the Secretary of the Treasury, or which such collector may, for the time, reasonably judge expedient for the security of the public revenues; *Provided*, That in every such case, all the articles of the cargo so to be unladen, shall be deposited at the risk of the parties concerned therein, in such public or other warehouses or inclosures as the collector shall designate, there to remain under the joint custody of such collector and of the owner or owners, or master, or other person having charge of such vessel, until the same shall be entirely unladen or discharged; and until the goods, wares or merchandise which shall be so deposited, may be safely removed without contravening such health laws; and when such removal may be allowed, the collector having charge of such goods, wares or merchandise, may grant permits to the respective owners, or consignees, their factors or agents, to receive all goods, wares or merchandise, which shall be entered, and whereof the duties accruing shall be paid or secured according to law, upon the payment by them of a reasonable rate of storage; which shall be fixed by the Secretary of the Treasury for all public warehouses and inclosures.

168167

Warehouses
procured for
such car-
goes.

§ 3. That there shall be purchased or erected, under the orders of the President of the United States, suitable warehouses and wharves and inclosures, where goods and merchandise may be unladen and deposited from any vessel which shall be subject to quarantine, or other restraint, pursuant to the health laws of any State as aforesaid, at such convenient place or places therein, as the safety of the public revenue, and the observance of such health laws may require.

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the 1980s, the number of people in the world who are illiterate has increased from 1.2 billion to 1.5 billion. The number of illiterate people in the world is expected to increase to 1.8 billion by the year 2000.

There are a number of reasons why illiteracy is increasing. One of the main reasons is that the population of the world is increasing rapidly. In 1980, there were 4.5 billion people in the world. By the year 2000, there are expected to be 6 billion people in the world. This means that there are more people in the world than ever before. This is a problem because it means that there are more people who need to be educated. Another reason why illiteracy is increasing is that the quality of education is poor in many parts of the world. This is especially true in the developing countries. In these countries, the schools are often overcrowded and the teachers are not well trained. This means that the children do not learn as much as they should. As a result, many of the children are illiterate when they leave school.

There are a number of things that can be done to reduce illiteracy. One of the most important things is to improve the quality of education. This can be done by training teachers better and by providing them with the resources they need. It is also important to make sure that the schools are not overcrowded. Another important thing is to make sure that the children are motivated to learn. This can be done by making the learning process more interesting and by giving the children rewards for their achievements. If these things are done, it is possible to reduce illiteracy and to give more people the opportunity to learn.

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Appendix

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